

In re **Richard Kendall Poplinski**

Debtor(s)

Case No. **12-60488****SCHEDULE A - REAL PROPERTY-AMENDED**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a co-tenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether the husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

**Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.**

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "none" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband Wife Joint or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption	Amount of Secured Claim
Debtor's Residence: Homestead Real Property located at 1609 6th Avenue N, Sartell MN, Single Family Residence legally described as follows: Lot One (1), Block One (1), Morningstar Plat Six, according to the plat and survey thereof on file and of record in the office of the County Recorder in and for Stearns County, Minnesota.	Fee Simple	-	\$243,000.00	\$73,916.00
1/6 Interest in 40 Acres of Hunting Property: (\$5,000 value) <u>Legally Described As:</u>  <u>The West Half of the Southwest Quarter (W 1/2 SW1/4) of Section Sixteen (16), Township One Hundred Thirty-three (133) North, Range Thirty-Two (32) West of the Fifth P.M., according to the United States Government Survey thereof, AND The Southeast Quarter of the Southeast Quarter (SE 1/4 SE 1/4), the Southwest Quarter of the Southwest Quarter (SW 1/4 SW 1/4) and the Southeast Quarter of the Southwest Quarter (SE 1/4 SW 1/4) all in Section Seventeen (17), Township One Hundred Thirty-three (133) North, Range Thirty-two (32) West of the Fifth P.M., according to the United States Government Survey thereof.</u>  <u>The property is approximately 70% swampland The owners of the adjoining property have the first option to purchase.</u>	Fractional Interest	J	\$833.33	\$0.00

Total: **\$243,833.33**

(Report also on Summary of Schedules)

**SCHEDULE B - PERSONAL PROPERTY-AMENDED**

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether the husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

**Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.**

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed R. Bankr. P. 1007(m).

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint or Community	Current Value of Debtor's Interest In Property, With- Out Deducting Any Secured Claim or Exemption
1. Cash on hand.		<b>Cash</b>	-	<b>\$100.00</b>
2. Checking, savings or other financial accounts, certificates of deposit or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		<b>Checking Account at Integrity Bank</b>	-	<b>\$200.00</b>
3. Security deposits with public utilities, telephone companies, landlords, and others.	<b>X</b>			
4. Household goods and furnishings, including audio, video, and computer equipment.		<b>50% Interest in Normal Household Goods, Furnishings, Electronics, Major and Minor Appliances (\$4,000 value)</b>	<b>J</b>	<b>\$2,000.00</b>
5. Books; pictures and other art objects; antiques; stamp, coin, record, tape, compact disc, and other collections or collectibles.		<b>50% Interest in Books, CD's, DVD's and Pictures (\$300 value)</b>	<b>J</b>	<b>\$150.00</b>
6. Wearing apparel.		<b>Clothing</b>	-	<b>\$100.00</b>
7. Furs and jewelry.		<b>Misc Jewelry</b>	-	<b>\$500.00</b>
8. Firearms and sports, photographic, and other hobby equipment.		<b>4 Guns</b>	-	<b>\$100.00</b>
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.		<b>Term Life Insurance (\$300,000 face value) (no cash value)</b>	-	<b>\$0.00</b>
10. Annuities. Itemize and name each issuer.	<b>X</b>			

In re **Richard Kendall Poplinski**  
Debtor

Case No. **12-60488**  
(If known)

**SCHEDULE B - PERSONAL PROPERTY**  
(Continuation Sheet)

Type of Property	NON E	Description and Location of Property	Husband, Wife, Joint or Community	Current Value of Debtor's Interest In Property, Without Deducting Any Secured Claim or Exemption
11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)	<b>X</b>			
12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.	<b>X</b>			
13. Stock and interests in incorporated and unincorporated businesses. Itemize.		<b>100% Interest in Capital Builders of Central MN Inc. The business is out of business; The liabilities of the business exceeds its assets</b>	-	<b>\$0.00</b>
		<b>100% Interest in Minnesota Construction Capital, Inc. The business is out of business; The liabilities of the business exceed its assets</b>	-	<b>\$0.00</b>
		<b>100% Interest in Preferred Homes, Inc. The business is out of business; The liabilities of the business exceed its assets</b>	-	<b>\$0.00</b>
		<b>100% Interest in RKP Investments, Inc. The business is out of business; The liabilities of the business exceed its assets</b>	-	<b>\$0.00</b>
		<b>100% Interest in Signature Homes of Minnesota, Inc. The business is out of business; The liabilities of the business exceed its assets.</b>	-	<b>\$0.00</b>
		<b>100% Interest in Viking Development. The business is out of business; The liabilities of the business exceed the assets.</b>	-	<b>\$0.00</b>
		<b>100% 25% Interest in MTE Holdings, Inc. The business is no longer in business; The liabilities of the business exceed the assets. MTE Holdings owns a commercial building on 25th Avenue in St Cloud, Minnesota. The fair market value of the property is \$600,000.00; there is a mortgage against the property with a balance in excess of \$1 Million.</b>	-	<b>\$0.00</b>
14. Interests in partnerships or joint ventures. Itemize.	<b>X</b>			
15. Government and corporate bonds and other negotiable and nonnegotiable instruments.	<b>X</b>			

In re **Richard Kendall Poplinski**  
Debtor

Case No. **12-60488**  
(If known)

**SCHEDULE B - PERSONAL PROPERTY**  
(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint or Community	Current Value of Debtor's Interest In Property, With- Out Deducting Any Secured Claim or Exemption
16. Accounts receivable.	<b>X</b>			
17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	<b>X</b>			
18. Other liquidated debts owed to debtor including tax refunds. Give particulars.	<b>X</b>			
19. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	<b>X</b>			
20. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	<b>X</b>	<u>Potential personal injury award from October, 2011 car accident. Rick has retained Jeff Distad to represent him with this case.</u>		<u>Unknown</u>
21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	<b>X</b>			
22. Patents, copyrights, and other intellectual property. Give particulars.	<b>X</b>			
23. Licenses, franchises, and other general intangibles. Give particulars.	<b>X</b>			
24. Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	<b>X</b>			
25. Automobiles, trucks, trailers, and other vehicles and accessories.	<b>X</b>			
26. Boats, motors, and accessories.	<b>X</b>			
27. Aircraft and accessories.	<b>X</b>			

B 6B (Official Form 6B) (12/07) - Cont.

In re **Richard Kendall Poplinski**  
Debtor

Case No. **12-60488**

(If known)

## SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint or Community	Current Value of Debtor's Interest In Property, With- Out Deducting Any Secured Claim or Exemption
28. Office equipment, furnishings, and supplies.	X			
29. Machinery, fixtures, equipment, and supplies used in business.	X			
30. Inventory.	X			
31. Animals.	X			
32. Crops - growing or harvested. Give particulars.	X			
33. Farming equipment and implements.	X			
34. Farm supplies, chemicals, and feed.	X			
35. Other personal property of any kind not already listed. Itemize.		50% Interest in Yamaha ATV and Trailer	J	\$200.00
		50% Interest in Lawnmower, Ladders, Rakes, Shovels and Tools (\$500 value)	J	\$250.00
		Wife owns 2010 Infiniti, 2009 Chevrolet Silverado, 2007 Mitsubishi Eclipse, Clothing, Jewelry, Ameritrade Account and Misc Property listed for information only, not part of the bankruptcy estate	W	\$0.00
Total >				\$3,600.00

(Report also on Summary of Schedules)

B6C (Official Form 6C) (04/10)

In re **Richard Kendall Poplinski**Case No. **12-60488**

Debtor(s)

**SCHEDULE C - PROPERTY CLAIMED AS EXEMPT-AMENDED**Debtor claims the exemptions to which debtor is entitled under:  
(Check one box)☐ Check if debtor claims a homestead exemption that exceeds \$146,450.\*☐ 11 U.S.C. §522(b)(2)☒ 11 U.S.C. §522(b)(3)

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption
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**Real Property**

**Debtor's Residence: Homestead Real Property located at 1609 6th Avenue N, Sartell MN, Single Family Residence legally described as follows:**  
**Lot One (1), Block One (1), Morningstar Plat Six, according to the plat and survey thereof on file and of record in**

Minn. Stat. §§ 510.01, 510.02

84,542.00

243,000.00

**Household Goods and Furnishings**

**50% Interest in Normal Household Goods, Furnishings, Electronics, Major and Minor Appliances (\$4,000 value)**

Minn. Stat. § 550.37(4)(b)

2,000.00

2,000.00

**Books, Pictures and Other Art Objects; Collectibles**

**50% Interest in Books, CD's, DVD's and Pictures (\$300 value)**

Minn. Stat. § 550.37(2)

150.00

150.00

**Wearing Apparel****Clothing**

Minn. Stat. § 550.37(4)(a)

100.00

100.00

**Furs and Jewelry****Misc Jewelry**

Minn. Stat. § 550.37(4)(a)

500.00

500.00

**Interests in Insurance Policies**

**Term Life Insurance (\$300,000 face value) (no cash value)**

Minn. Stat. § 550.37(23)

**Other liquidated Claims****Potential personal injury award from**

**October, 2011 car accident. Rick has retained Jeff Distad to represent him with this case.**

Minn. Stat § 550.37(22)

**100% of general damages**  
**0-00**

**Unknown 0-00**

\*Amount subject to adjustment on 4/1/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.  
 Schedule of Property Claimed as Exempt consists of 2 total page(s)

**SCHEDULE C - PROPERTY CLAIMED AS EXEMPT**

(Continuation Sheet)

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption
Total:		<b>87,292.00</b>	<b>245,750.00</b>

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MINNESOTA

In re:

**Richard Kendall Poplinski**  
Debtor(s).

**SIGNATURE DECLARATION**

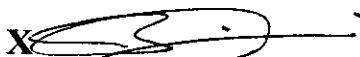
Case No. **12-60488**

- ☐ PETITION, SCHEDULES & STATEMENTS  
☐ CHAPTER 13 PLAN  
☐ SCHEDULES AND STATEMENTS ACCOMPANYING VERIFIED CONVERSION  
☒ AMENDMENT TO PETITION, SCHEDULES & STATEMENTS  
☐ MODIFIED CHAPTER 13 PLAN  
☐ OTHER (Please describe: \_\_\_\_\_)

I [We], the undersigned debtor(s) or authorized representative of the debtor, ***make the following declarations under penalty of perjury:***

- The information I have given my attorney and provided in the electronically filed petition, statements, schedules, amendments, and/or chapter 13 plan, as indicated above, is true and correct;
- The information provided in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case is true and correct;
- **[individual debtors only]** If no Social Security Number is included in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case, it is because I do not have a Social Security Number;
- I consent to my attorney electronically filing with the United States Bankruptcy Court my petition, statements and schedules, amendments, and/or chapter 13 plan, as indicated above, together with a scanned image of this Signature Declaration and the completed "Debtor Information Pages," if applicable; and
- **[corporate and partnership debtors only]** I have been authorized to file this petition on behalf of the debtor.

Date: 7-11-12

X 

Signature of Debtor or Authorized Representative

**Richard Kendall Poplinski**

Printed Name of Debtor or Authorized Representative

X

Signature of Joint Debtor

Printed Name of Joint Debtor

Form ERS I (Rev. 10/03)



**UNITED STATES BANKRUPTCY COURT  
District of Minnesota**

Case No: 12-60488

In re: Richard Kendall Poplinski

Debtor

**CERTIFICATE OF MAILING**

The undersigned hereby certifies that a true copy of the Amended Schedule A, Amended Schedule B and Amended Schedule C was mailed to all parties in interest at the addresses set forth in the exhibit which is attached hereto, by first class mail on September 19, 2012.

Date: September 19, 2012

/e/ WILLIAM P. KAIN-#143005

Lund, Kain & Scott, P.A.  
13 South Seventh Avenue  
Saint Cloud, Minnesota 56301  
(320) 252-0330

**EXHIBIT**

BENEPARTUM LAW OFFICE

ELAN FINANCIAL SERVICE  
CB DISPUTES  
ST LOUIS MO 63166

FALCON NATIONAL BANK  
183 CEDAR DRIVE  
FOLEY MN 56329

HUGHES MATHEWS PA  
110 SIXTH AVE S STE 200  
PO BOX 548  
SAINT CLOUD MN 56302-0548

INTERNAL REVENUE SERVICE  
PO BOX 7346  
PHILADELPHIA PA 19101-7346

LANCO

LCF FUNDING LLC  
860 BLUE GENTIAN RD  
SUITE 135  
EAGAN MN 55120

LIBERTY SAVINGS BANK F  
POB 40  
ST CLOUD MN 56302

LIGHTHOUSE

MN DEPARTMENT OF REVENUE  
PO BOX 64564  
SAINT PAUL MN 55164-0564

PLAZA PARK BANK  
131 6TH AVE S  
PO BOX 337  
WAITE PARK MN 56387-0337

RINKE NOONAN  
1015 W ST GERMAIN SUITE 300  
SAINT CLOUD MN 56301

US BANK/NA ND  
4325 17TH AVE S  
FARGO ND 58125